

Message Text

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SUBJECT: ANNUAL HUMAN RIGHTS REPORT

REF: STATE 022819

1. FOLLOWING IS FINAL TEXT OF ANNUAL HUMAN RIGHTS REPORT
FOR YOUR COUNTRY FOR PRESENTATION TO HOST GOVERNMENT
IN ACCORDANCE WITH REFTEL INSTRUCTIONS.

CAPE VERDE IS A SINGLE PARTY REPUBLIC, AND DOES NOT YET
HAVE A CONSTITUTION. ITS BASIC LAWS ARE DECREED BY THE
GOVERNMENT AND APPROVED BY THE ELECTED NATIONAL ASSEMBLY.
THESE LAWS INCORPORATE PORTUGUESE LAW (FROM POST-REVOLU-
TION PORTUGAL) WITH LOCAL MODIFICATIONS. DURING THE COLONIAL
PERIOD, WHICH ENDED IN 1975, CAPE VERDE WAS SPARED MUCH
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OF THE POLITICAL REPRESSION COMMON TO OTHER PORTUGUESE
COLONIES, AND EMERGED AT INDEPENDENCE WITH TRADITIONAL
CONCEPTS OF CIVIL LIBERTIES AND HUMAN RIGHTS BASICALLY
INTACT. THE CAPE VERDE GOVERNMENT APPEARS TO BE COMMITTED
TO UPHOLDING THE BASIC RIGHTS AND FREEDOMS CONTAINED
IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, AND IT
DOES NOT CONDONE VIOLATIONS.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM:

A. TORTURE

THERE IS FREEDOM FROM TORTURE.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

THERE HAVE BEEN NO REPORTS OF CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT IN CAPE VERDE, NOR DO WE HAVE
REASON TO BELIEVE THAT SUCH PRACTICES EXIST.

C. ARBITRARY ARREST OR IMPRISONMENT

THE ABSENCE OF SUCH CAPRICIOUS ACTIONS IS THE RULE IN
CAPE VERDE. IN JUNE 1977, APPROXIMATELY 40 PERSONS
WERE ARRESTED ON THE ISLANDS OF SAO VICENTE AND SANTO ANTAO
FOR DISTRIBUTING ANTI-GOVERNMENT PAMPHLETS, ATTEMPTING
TO PROVOKE ACTIONS AGAINST THE REGIME, AND PLANNING SABO-
TAGE AND THE ASSASSINATION OF OFFICIALS. PORTUGUESE
CITIZENS INVOLVED IN THESE ACTIVITIES WERE EXPELLED TO
PORTUGAL, REPORTEDLY FOLLOWING COURT HEARINGS. THE
DETAINEES HAVE BEEN GUARANTEED A PUBLIC TRIAL WITH RIGHT
TO DEFENSE COUNSEL, BUT THEY HAVE NOT YET APPEARED IN COURT.
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D. DENIAL OF FAIR PUBLIC TRIAL

THE RIGHT TO A FAIR PUBLIC TRIAL, WITH PROPER COUNSEL,
IS OBSERVED IN CAPE VERDE.

E. INVASIONS OF THE HOME

THERE ARE EFFECTIVE LEGAL SAFEGUARDS AGAINST ARBITRARY
INVASION OF THE HOME.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT
OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND
EDUCATION

THE CAPE VERDEAN GOVERNMENT HAS TAKEN POSITIVE ACTION
TO IMPLEMENT PROGRAMS AND SEEK FOREIGN ASSISTANCE TO
FULFILL BASIC NEEDS. BECAUSE OF A PROLONGED DROUGHT
WHICH HAS LASTED FOR MORE THAN NINE YEARS, VIRTUALLY
ALL CAPE VERDEANS ARE POOR. THE GOVERNMENT'S STEPS
TO IMPROVE THE LOT OF THE POOR MAJORITY BY MEANS OF
NEW PROGRAMS IN HEALTH, EDUCATION, AGRICULTURE AND

IRRIGATION HAVE BEEN RECOGNIZED AS PRACTICAL AND VIABLE.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND
ASSEMBLY

THE FREEDOMS OF RELIGION AND ASSEMBLY ARE GENERALLY
RESPECTED, AND CHURCH AND CIVIC ORGANIZATIONS ARE ACTIVE.
A MASS TRADE UNION ORGANIZATION IS BEING CREATED BY
CAPE VERDEAN WORKERS. MOST OF THE NATION'S MEDIA IS
OWNED OR CONTROLLED BY THE RULING PARTY, AND THOSE MEDIA
IN PRIVATE HANDS TEND TO EXERCISE PRUDENT RESTRAINT.

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B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN
TRAVEL AND EMIGRATION

THERE ARE NO RESTRICTIONS ON THESE FREEDOMS.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

CAPE VERDE IS A SINGLE-PARTY STATE AND OPPOSITION PARTIES
ARE NOT PERMITTED. HOWEVER, ONE NEED NOT BE A MEMBER
OF THE RULING PARTY, THE AFRICAN PARTY FOR THE INDEPEN-
DENCE OF GUINEA-BISSAU AND CAPE VERDE (PAIGC), IN ORDER
TO HOLD ELECTED OR APPOINTED OFFICE. A 56-MEMBER NATIONAL
ASSEMBLY WAS ELECTED BY UNIVERSAL SUFFRAGE IN JUNE 1975, AND
MEETS PERIODICALLY TO ENDORSE LAWS DRAWN UP BY THE COUNCIL
OF MINISTERS, WHICH IS CHOSEN FROM AMONG THE MEMBERS
OF THE NATIONAL ASSEMBLY.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL
AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS
OF HUMAN RIGHTS

THERE HAVE BEEN NO REQUESTS FOR OUTSIDE INVESTIGATIONS.
CAPE VERDE'S RESPONSE TO ANY FUTURE REQUESTS WOULD
LIKELY DEPEND ON THE NATURE OF THE ALLEGATIONS AND THE
REPUTATION OF THE ORGANIZATION REQUESTING THE INVESTIGATION.
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